

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

BRYAN J. SACHS

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Order Filed on March 14, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 22-11662-MBK

Chapter 13

Judge: Michael B. Kaplan, CUSBJ

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**Recommended Local Form: ☐ G ☒ Followed ☐ Modified

The relief set forth on the following pages, numbered two (2) through (3) is hereby **ORDERED**.

DATED: March 14, 2024

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 655 Woodland Avenue, Laurence Harbor, Old Bridge Township, Middlesex County, New Jersey (the Real Property), and the objection thereto filed by creditor Bank of America,

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the Contract of Sale and any and all amendments thereto, pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction, the real property is not free and clear of liens. **All mortgages and other liens, including all tax liens and tax sale certificates, will be satisfied in full at closing.**
 - a. A written payoff statement must be obtained from the secured creditor, Bank of America, N.A. prior to the closing;
 - b. Said written payoff statement shall not have expired at the time of Closing; and
 - c. Funds from the sale shall be remitted to secured creditor, Bank of America, N.A within 48 hours of the close of escrow.
3. In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and attorney at closing. Therefore, the following professionals may be paid at closing.

Name of professional: Thomas Novembre Amount to be paid: not to exceed 5.0% total commission including participating realtor Services rendered: Realtor Name of professional: Kevin H. Morse, Esq. Amount to be paid: \$1,250.00 plus costs Services rendered: Special Counsel, Real Estate Attorney

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$25,150.00 claimed as exempt may be paid to the Debtor at closing.
6. The balance due on the debtor's Chapter 13 Plan as necessary to pay all creditors in full and payoff and complete the plan, including administrative claims, must be paid to the Chapter 13 Trustee in the Debtor's case, with any surplus payable to Debtor at closing.
7. A copy of the HUD settlement statement or Closing Disclosure Statement, whichever is provided by the settlement agent, must be forwarded to the Chapter 13 Trustee within 7 days after closing.